REMARKS/ARGUMENTS

Amendments

      The claims are modified in the amendment. More specifically, claims 18 and 22 have been amended, and no claims have been added or deleted. Applicants wish to point out that the Examiner failed to address claims 32-39. As such, Applicants do not know the status of such claims and have chosen to forego discussion of such claims until the status of the claims is provided. Therefore, claims 18-27 are present for examination. Claims 1-17 and 28-31 have been withdrawn. Applicant reserves the right to pursue any un-amended, canceled or withdrawn claims in a continuing application without any prejudicial effect. No new matter is added by these amendments, which are fully supported by the specification. Applicant respectfully requests reconsideration of this application as amended.

35 U.S.C. §112 Rejection, Second Paragraph

      Claims 22-23 are rejected under 35 U.S.C. §112, first paragraph, for failing to comply with the enablement requirement. Applicants respectfully traverse this rejection.

      With respect to claim 22, Figs. 1 and 2 of the application clearly show that there may be a plurality of money handlers. See Application, Fig. 1 (reference 160) and Fig. 2 (references 160-1, 160-2, 160-3, 160-4, and 160-5). The detail description describes multiple handlers on several occasions. See Application, p. 3, lines 21-24; p. 4, lines 4-12; p. 4, line 13 -- p. 5, line 19. Indeed, each of the handlers described in claim 22 can be found in the description. See Application, p. 4, line 13 -- p. 5, line 19. Any number of handlers are possible as described in the description, "Other embodiments have more or less handlers 160 and interfaces 180." Application, p. 4, lines 15-16. As such, the application clearly describes multiple handlers and choosing four handlers is certainly covered within the description provided in the specification.

      With respect to claim 23, multiple handlers are described as shown above. Further, Fig. 5A and the associated description provide description of paying more than one payee. See Application, Figs. 5A and 5B; p. 9, lines 5-6; p. 11, lines 1-3. Each payee can select

a different money handler for receiving money as shown in Figs. 9A and 9B and the associated description. See Application, Figs. 9A and 9B; p. 14, line 14 -- p. 15, line 28. As such, sending value to at least two of a plurality of money handlers is clearly described.

35 U.S.C. §103 Rejection, Chang et al. in view of Landry

The Office Action has rejected claims 18-27 under 35 U.S.C. §103(a) as being unpatentable over the cited portions of U.S. Patent No. 5,884,288 to Chang et al. (hereinafter "Chang") in view of the cited portions of U.S. Patent No. 6,996,542 to Landry (hereinafter "Landry"). Applicants respectfully request reconsideration of the rejection because the Examiner has failed to show a prima facie case of obviousness.

> To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, *the prior art reference (or references when combined) must teach or suggest all the claim limitations*. MPEP §2142, Original Eighth Edition, August, 2001, Latest Revision August 2006 (*emphasis added*).

Neither Chang nor Landry, either alone or in combination, describe all the limitations of the claims.

Generally, claim 18 provides a method for transferring a value amount from a payor to more than one payee using a payment instrument. In one embodiment, information from a sender is received at a server computer to transfer credit to more than one recipient. The information includes amounts of credit to transfer, which, when summed, is an aggregate amount of credit the sender wants to transfer to all recipients. The sender provides and the server system receives a choice or one handler from which to extract the credit. The recipients then select two or more handlers from which to receive the credit. The credit is then sent to each recipient via the handler chosen by the recipient.

Applicants believe the cited sections of Chang and Landry do not, either alone or in combination, teach or suggest the invention as recited in the claims. More specifically, neither of Chang and Landry teach or suggest "receiving a first choice of a first handler from a group of two or more different types of handlers, the first choice chosen by the sender by interaction with

server computer system to select from the two or more different type of handlers" or "receiving two or more choices of two or more second handlers from a group of two or more handlers, the two or more second choices respectively chosen by the plurality of recipients by interaction with server computer system to select from a plurality of different types of handlers."

The Examiner admits that Chang does not describe "selecting from a plurality of types of handlers." See Office Action, p. 6. Instead, the Examiner relies on Landry to teach this limitation. Landry teaches a "system and method for paying bills *without requiring interaction with the payors disclosed.*" Landry, Abstract (*emphasis added*). The system of Landry describes paying bills between payors and payees. See Landry, col. 12, line 59 - col. 13, line 28. However, the transfers of money only occurs between a payors bank account(s) and the payees bank account(s). See Landry, col. 13, line 20-22 (". . . Electronic Funds Transfer (EFT) messages that debit Payor BankAccounts through some type of TCP transfer system."); see also col. 13, lines 26-28 ("A settlement message is transmitted through the TCF system to provide an overall credit/debit to the Payee bank."). The payor or payee never send a selection of interface or handler to the bank.

Missing Limitation: Receiving a first choice of a first handler from a group of two or more different types of handlers, the first choice chosen by the sender by interaction with server computer system to select from the two or more different type of handlers

Claim 18 and dependent claims 19-27 require that a payor select and the server system receive the selection of one handler chosen from a group of two or more handlers of different types. None of the references cited contemplate the use of multiple forms of first handlers to accommodate a wide variety of value handlers. As admitted by the Examiner, Chang does not include a description of selecting between a plurality of handlers. The systems and methods of Landry do not accommodate multiple types of money pay-in to the first handler (which, in Landry, could only be a Bank handler). Indeed, the payor only interacts with his or her bank. See Landry, Fig. 3, col. 13, line 20-22. No description of a choice between handlers is provided in Landry because Landry only has a single handler. Applicants believe that reliance upon Chang or Landry to teach receiving a first choice of a first handler from a group of two or

more different types of handlers, the first choice chosen by the sender by interaction with server computer system to select from the two or more different type of handlers is not reasonably supported.

Missing Limitation: Receiving two or more choices of two or more second handlers from a group of two or more handlers, the two or more second choices respectively chosen by the plurality of recipients by interaction with server computer system to select from a plurality of different types of handlers

Claim 18 and dependent claims 19-27 require that the two or more payees each select and the server system receive the selection of a handler chosen from a group of two or more handlers of different types. None of the references cited contemplate the use of multiple forms of first handlers to accommodate a wide variety of value handlers. As admitted by the Examiner, Chang does not include a description of selecting between a plurality of handlers. As with the pay-in handlers, the systems and methods of Landry do not accommodate multiple types of handler for pay-out. Landry only describes a bank handler for pay-out. See Landry, Fig. 3, col. 13, line 26-28. Certainly, more than one method of payment from the bank is described, as pointed out by the Examiner. See Office Action, p. 6. All of these payments can be made through the single bank handler. However, Landry does not disclose other handlers. Applicants believe that reliance upon Chang or Landry to teach receiving two or more choices of two or more second handlers from a group of two or more handlers, the two or more second choices respectively chosen by the plurality of recipients by interaction with server computer system to select from a plurality of different types of handlers is not reasonably supported.

Hence, Applicants respectfully request reconsideration and withdrawal of the rejection as to claim 18 and the associated dependent claims 19-26. Applicants believe Chang and Landry do not teach receiving selections or handlers from a group of two or more handlers. Having this ability allows for a more focused and customer-oriented system. Chang and Landry do not teach this ability.

Motive for Combining Not Properly Set Forth

Further, Applicants note that while Chang and Landry are combined, no cite is given as to why these references would be combined. Office Action, p. 7. Because there is no cite, it is unclear to the Applicants where the motivation to combine comes from. Applicants are unclear on how Chang or Landry suggests the motivation and respectfully ask for a cite within Chang or Landry, which discloses the motivation to combine. The only way the combinations of Chang or Landry makes any sense is to use the Applicants' claims as a template, which is impermissible hindsight reconstruction. Under KSR Int'l. Co., v. Teleflex, Inc., when determining obviousness, there must be "an apparent reason to combine the known elements in the fashion claimed by the patent at issue. To facilitate review, this analysis should be made explicit." Specific reasons for the motivation relevant to the claimed limitations is respectfully requested in any further office action.

For at least the above reasons, Applicants do not believe that either Chang or Landry teach the use of multiple types of handlers or selection of handlers. Reconsideration is respectfully requested.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested. Applicants do not acquiesce to any argument not addressed herein.

Appl. No. 10/045,633
Preliminary Amendment dated October 31, 2007

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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